

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 032026/0476D

In re patent application of FREY, *et al.*

Application No.

Group Art Unit:

Filed: May 1, 2001

Examiner:

For: **DNA MOLECULES ENCODING BACTERIAL LYSINE 2,3-AMINOMUTASE**

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M.Q.J
10/31/01

PRELIMINARY AMENDMENT

Box PATENT APPLICATION
Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is a Preliminary Amendment filed with a Divisional Application for the above-captioned application. It is requested that this preliminary amendment be entered after the application has been accorded a filing date and been assigned a serial number.

AMENDMENTS

Please delete the title and insert therefore "METHOD FOR PRODUCING L- β -LYSINE"

Please cancel claims 1-28 and 33-35. — See Amendment a

Please amend the claims as follows:

29. (Amended) A method of producing L- β -lysine, comprising:

(a) culturing a host cell comprising an expression vector that encodes lysine 2,3-aminomutase in the presence of L-lysine, wherein the cultured host cell expresses lysine 2,3-aminomutase, and

(b) isolating L- β -lysine from the cultured host cells.

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